



A blue ink signature of David L. Bissett, written in a cursive style.

David L. Bissett
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Alderson Broaddus University
Alderson Broaddus Endowment
Corporation

Bk. No.: 23-00427

Bk. No.: 23-00534

Chapter 7

Debtor.

**ORDER AUTHORIZING TRUSTEE TO WAIVE
OR TERMINATE FURTHER DISTRIBUTION FROM
THE EMMA G. NOE CHARITABLE TRUST
AND TO EXECUTE ANY DOCUMENTS NECESSARY
TO TERMINATE FURTHER DISTRIBUTIONS**

On this day came the Trustee, Thomas H. Fluharty, pursuant to his Motion to Waive or Terminate further Distribution from the Emma G. Noe Charitable Trust and to Execute any Documents Necessary to Terminate further Distributions, there being no other appearances.

Whereupon this matter came on to be heard on the Trustee's Motion and argument from all of which the Court makes the following findings of fact and conclusions of law:

1. Alderson Broaddus University (formerly Alderson Broaddus College) filed a voluntary chapter 7 bankruptcy on August 31, 2023.
2. The undersigned, Thomas H. Fluharty, is the chapter 7 Trustee.
3. The statutory predicate for the relief sought herein is Title 11, Section 105(a) of the Bankruptcy Code.
4. The Court has jurisdiction pursuant to 11 U.S.C. §§157 and 1334.

5. The debtor, Alderson Broaddus University has been the recipient of funds from the Emma G. Noe Charitable Trust.

6. By an "Irrevocable Living Trust Agreement" dated October 17, 1991 Emma G. Noe Trustor, entered an agreement with Charles D. Bell, Attorney at Law, for the establishment of a "Trust" to provide scholarships for residents of the State of West Virginia.

7. The Trustee is of the opinion that Alderson Broaddus University is no longer an organization that fits within the intent of the Trustor and that the university is no longer entitled to distributions.

It is, **ADJUDGED, ORDERED** and **DECREED** that the Trustee is authorized to waive or terminate further distribution to the Bankruptcy Estate of Alderson Broaddus University and to execute such documents as may be reasonably necessary to carry out the intent of the Trustee's Motion and this Order, including the "Affidavit" attached to the Trustee's Motion.

Respectfully submitted by:

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
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